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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,433	12/04/2003	Anatoly S. Belkin	CE10865R/10-167	6826

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MOTOROLA, INC.
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EXAMINER

RAMPURIA, SHARAD K

ART UNIT	PAPER NUMBER
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2617

DATE MAILED: 09/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/727,433

Applicant(s)

BELKIN ET AL.

Examiner

Sharad Rampuria

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,11 and 12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,11 and 12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

I. The Art Unit location of this application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

Continued Examination Under 37 CFR 1.114

II. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/05/2006 has been entered.

III. The declarations under 37 CFR 1.132 filed 09/05/2006 is sufficient to overcome the rejection of claims 1-2, 11-12 based upon 35 U.S.C. 102(e) as being anticipated by Segal et al. (US 20050119005).

IV. The current office-action is in response to the declarations/arguments filed on 09/05/2006.

Accordingly, Claims 3-10 and 13-27 are cancelled and Claims 1-2 and 11-12 are pending for further examination as follows:

Claim Rejections - 35 USC § 102

V. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) The invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-2, 11-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Jagadeesan (US 7003298).

As per claim 1, Jagadeesan teaches:

A wireless communication unit (100; Fig.1) arranged and constructed for operation within a loosely coupled communication network comprising a first communication network and a second communication network, the wireless communication unit (Abstract, Col.1; 60-Col.2; 2) comprising:

A transceiver configured to support an air interface with the first communication network and with the second communication network; (Col.2; 55-58) and

A controller (140; Fig.1, Col.3; 56-13) arranged to control and cooperatively operate with the transceiver to manage and retrieve an on-hold call from the first communication network after a handout of the wireless communication unit from the first communication network to the second communication network via a call leg established to support the on-hold call to and while

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the wireless communication unit is operating in the second communication network. (Col.3; 31-47).

As per claim 2, Jagadeesan teaches:

The wireless communication unit of claim 1 wherein the controller cooperatively with the transceiver is operable to one of disconnect and place on-hold an active call over the call leg and then connect the on-hold call, where the on-hold call is coupled from the first communication network to the wireless communication unit via the second communication network over the call leg. (Col.3; 31-47)

As per claim 11, Jagadeesan teaches:

A communication network switch (300; Fig.3, Col.4; 61-63) operable to route calls for a first communication network, the communication network switch (Abstract) comprising:

A switching function operable to couple the first communication network to a second communication network, where the first communication network and the second communication network comprise a loosely coupled communication network; (Col.4; 19-50) and

A controller arranged to control and cooperatively operate with the transceiver to manage and retrieve an on-hold call from the first communication network after a handout of the wireless communication unit from the first communication network to the second communication network via a call leg established to support the on-hold call to and while the wireless communication unit is operating in the second communication network. (Col.5; 5-24).

As per claim 12, Jagadeesan teaches:

The communication network switch of claim 11 further comprising a mobility manager that is operable to facilitate mobility of wireless communications units including the wireless communication unit by tracking network contacts for the wireless communication units, wherein the mobility manager cooperatively with the controller and the switching function is operable to establish the call leg between the second communications network and the first communications network. (Col.5; 5-24)

Response to Amendments & Arguments

VI. Applicant's arguments with respect to claims 1-2, 11-12 has been fully considered but is moot in view of the new ground(s) of rejection.

Conclusion

VII. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharad Rampuria whose telephone number is (571) 272-7870.

The examiner can normally be reached on M-F. (8:30-5 EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or EBC@uspto.gov.



Sharad Rampuria
Patent Examiner
Art Unit 2617